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REMARKS

Claims 4-15 are pending in this application.

The applicants respectfully request the admittance of this amendment, to place the claims in a better condition for allowance or appeal. The applicants respectfully suggest that this amendment adds no new matter, and does not require an additional search.

The Office action rejects claims 4-15 under 35 U.S.C. 102(e) over Gabai (USP 5,752,880). The applicants respectfully traverse this rejection.

MPEP 2131 states:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 4, upon which claims 5-7 depend, claims a method that includes receiving identity information from an item, and signaling to a user an associated service field at the host in response to the identity information.

Gabai does not teach signaling an associated service field *in response to* receiving identity information from an item. Gabai teaches an explicit initiation of a service field before the item is identified ("the computer 100 runs software comprising a computer game, typically a game including at least one animated character" Gabai, column 9, lines 10-12). The service field presents an image of the item on a display ("On the computer screen are depicted animated objects 160 and 165" Gabai, column 9, lines 27-28), and then, after the item is identified, removes the item from the display ("computer 100, having received a message via the computer radio interface 110, from the toy 122, no longer displays the animated object 160 corresponding to the toy 122" Gabai, column 9, lines 54-56).

That is, in Gabai, the service field (software) must be running before the item is identified, whereas the applicants specifically claim providing the service field at the host in response to the identity information. As the applicants teach, this allows programs to be started at the host for users who are not 'fluent' in computer operations by merely

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bringing an identifying item in proximity to the computer (Applicants' page 1, lines 6-10; and page 4, lines 1-7). In this way, for example, when a child with an identifying item approaches a computer, the computer automatically starts a suitable program upon recognizing the child's item. Gabai, on the other hand, assumes that the user is able to start the program that will use the item when it is brought into proximity of the computer, and does not teach that the program starts after the item is recognized, as specifically claimed by the applicants.

In like manner, claim 8, upon which claims 9-11 depend, claims a method that includes identifying an item in response to proximity conditions between a host and the item, and signaling to a user an associated service field at the host. And, claim 12, upon which claims 13-15 depend, claims a method that includes transmitting identity information from an item to a host in response to the proximity conditions, and signaling to a user an associated service field at the host in response to the identity information.

Because Gabai does not teach each of the elements of each of the applicants' independent claims, the applicants respectfully request the Examiner's reconsideration of the rejection of claims 4-15 under 35 U.S.C. 102(e) over Gabai.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the present application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
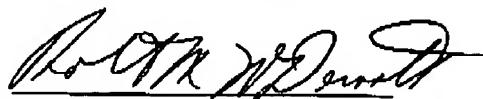
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